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Hon. Lauren King

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THE CHARTER OAK FIRE INSURANCE
COMPANY, a foreign insurance company;
THE TRAVELERS INDEMNITY
COMPANY, a foreign insurance company;
and TRAVELERS PROPERTY
CASUALTY COMPANY OF AMERICA, a
foreign insurance company

Plaintiffs,

v.

SOUTH BAY EXCAVATING, INC., a
Washington corporation; WAVEDIVISION
HOLDINGS, LLC a foreign limited liability
company, and O'CALLAGHAN CABLE
SERVICES, INC., an Oregon corporation

Defendants.

No. 3:21-cv-5752-BHS

**STIPULATION AND [PROPOSED]
ORDER OF DISMISSAL**

I. STIPULATION

COME NOW Plaintiffs The Charter Oak Fire Insurance Company, The Travelers Indemnity Company and Travelers Property Casualty Company of America and Defendant South Bay Excavating, Inc. hereby agree and stipulate that the current action should be dismissed **without** prejudice and without fees or costs to any party.

1 DATED this 27th day of May 2022.

2 LETHER LAW GROUP

PARSONS FARNELL & GREIN, LLP

3 /s/ Thomas Lether

/s/ Michael E. Farnell

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8 *Attorney for Plaintiffs*

*Attorney for Defendant,
South Bay Excavating, Inc.*

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10 **II. ORDER OF DISMISSAL**

11 Based on the foregoing Stipulation, it is hereby ORDERED:

- 12 1. That this action is hereby dismissed without prejudice;
13 2. This dismissal is effectuated without an award of fees or costs to any party.

14 DONE IN OPEN COURT this ____ day of _____, 2022.

15 _____
16 Lauren King
United States District Judge

17 **Presented By:**

18 LETHER LAW GROUP

19 /s/ Thomas Lether

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